



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
Washington, D.C. 20231
www.uspto.gov

Paper No. 20

CHARLES B. BRANTLEY II
MICRON TECHNOLOGY INC.
MAIL STOP 525
8000 S FEDERAL WAY
BOISE, ID 83716-9632

COPY MAILED

JAN 27 2003

OFFICE OF PETITIONS

In re Application of :
Vishnu K. Agarwal :
Application No. 09/652,842 : ON PETITION
Filed: August 31, 2000 :
Attorney Docket No. 98-0616.05 :

This is a decision on the petition, filed by facsimile transmission on January 22, 2003, under 37 CFR 1.313(c)(2) to withdraw the above-identified application from issue after payment of the issue fee.

The petition is **GRANTED**.

The above-identified application is withdrawn from issue for consideration of a submission under 37 CFR 1.114 (request for continued examination). See 37 CFR 1.313(c)(2).

There is no indication that petitioner herein, Mr. Paul F. Rusyn, was ever given a power of attorney in this application. However, in accordance with 37 CFR 1.34(a), the signature of Paul F. Rusyn appearing on the correspondence shall constitute a representation to the United States Patent and Trademark Office that he is authorized to represent the particular party in whose behalf he acts. Since there is no indication that Mr. Rusyn is an attorney of record, the change of correspondence address filed concurrently with the instant petition cannot be entered at this time. Upon receipt of the file in the Office of Petitions, it will be determined at that time whether or not Mr. Rusyn was ever given a power of attorney to prosecute the instant application. If so, the change of address will be entered. If, however, Mr. Rusyn was never given a power of attorney in the instant application, the appropriate power of attorney documentation should be submitted if Mr. Rusyn desires to receive future correspondence regarding this file. In the meantime, a courtesy copy of this decision is being mailed to Mr. Rusyn, the petitioner herein. If in fact it is found that no power of attorney is present in the application to Mr. Rusyn, all future

correspondence in this file will be directed solely to the above-noted address of record.

Petitioner is advised that the issue fee paid on December 17, 2002 in the above-identified application cannot be refunded. If, however, the above-identified application is again allowed, petitioner may request that it be applied towards the issue fee required by the new Notice of Allowance.¹

Telephone inquiries should be directed to the undersigned at (703) 305-8680.

Upon receipt of the file in the Office of Petitions, the file will be forwarded to Technology Center AU 2825 for processing of the request for continued examination under 37 CFR 1.114.



Frances Hicks
Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy

cc:

Paul F. Rusyn
Dorsey & Whitney LLP
1420 Fifth Avenue, Suite 3400
Seattle, WA 98101

¹ The request to apply the issue fee to the new Notice must be made in writing and should be accompanied by the new Issue Fee Transmittal Form PTOL-85(b), along with a copy of this decision. Additionally, if the issue fee has increased from the previously paid issue fee, the balance due must be submitted. Failure to timely request in writing that the previously paid issue fee be applied towards the new Notice and payment of any balance due will result in the abandonment of the application.